

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WILLIAM DECKARD, SR.,
Plaintiff,**

CIVIL ACTION

v.

NO. 17-5182

**STEVEN EMORY, EXECUTOR OF
ESTATE OF KATHLEEN EMORY
(Deceased),
STEVEN EMORY,
JANE'S AND JOHN'S DOE 1 THROUGH
24, and
SOLE PROPRIETORSHIP('S),
PARTNERSHIP('S), CORPORATION('S),
LLC('S), LLP('S) 1 THROUGH 18,
Defendants.**

ORDER

AND NOW, this 28th day of January, 2019, upon consideration of plaintiff's Petition for Leave to File 2nd Amended Complaint (Document No. 6, filed December 31, 2018), and Plaintiff's Praecipe to Remove as Named Defendants from Plaintiff's Pending Petition for Leave to File 2nd Amended Complaint, and from Plaintiff's Proposed 2nd Amended Complaint, both Filed December 31, 2018, Individuals Named by Clerical Mistake: David Grunfeld, Esq.; Adam Flager, Esq.; Linda Hee, Esq., and Astor, Weiss, Kaplan, & Mandel, LLP (Document No. 7, filed December 31, 2018), **IT IS ORDERED** as follows:

1. Plaintiff's Petition for Leave to File 2nd Amended Complaint is **GRANTED**. The Second Amended Complaint attached as an exhibit to the Petition shall be deemed filed as of January 28, 2019;

2. Plaintiff's Praecipe to Remove as Named Defendants from Plaintiff's Pending Petition for Leave to File 2nd Amended Complaint, and from Plaintiff's Proposed 2nd Amended Complaint, both Filed December 31, 2018, Individuals Named by Clerical Mistake: David

Grunfeld, Esq.; Adam Flager, Esq.; Linda Hee, Esq., and Astor, Weiss, Kaplan, & Mandel, LLP, is **GRANTED**;

3. Plaintiff shall promptly arrange for service of the Second Amended Complaint on all of the remaining defendants. Such service shall be made as provided in the application Rules of Civil Procedure covering service of process.

Upon consideration of Plaintiff's Response to this Court's November 19, 2018 Order to Show Cause why plaintiff has failed to make service of plaintiff's First Amended Summons and Complaint as required by the Federal Rules of Civil Procedure (Document No. 8, filed January 2, 2019), **IT IS FURTHER ORDERED** that, by reason of the filing of plaintiff's Petition for Leave to File 2nd Amended Complaint, and the Second Amended Complaint, and this Order, granting the Petition for Leave to File 2nd Amended Complaint, plaintiff has shown cause for failure to make service of the First Amended Summons and First Amended Complaint, and the Order to Show Cause is **DISCHARGED**.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.